

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

NEW PRIORITY DATE:  
OCT 6 2011

Date of filing in State Engineer's Office MAR 24 1992

Returned to applicant for correction.....

Corrected application filed.....

Map filed.....

MAR 24 1992

The applicant Garrett Van Diest, Inc.

P. O. Box 867

Street and No. or P.O. Box No.

of

Winnemucca

City or Town

Nevada 89445

State and Zip Code No.

hereby make<sup>s</sup> application for permission to change the

Manner and Place of Use of a portion of

Point of diversion, manner of use, and/or place of use

Permit No. 45775

of water heretofore appropriated under.....

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

Identify right in Decree.

- The source of water is Underground  
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 68.32 Acre Feet 0.2709 cfs  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Quasi Municipal  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for Irrigation and Domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point in the SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 7, T.34N., R.38E.,  
Describe as being within a 40-acre subdivision of public survey and by course and  
M.D.B.&M. or at a point from which the SE corner of said Section 7 bears S.  
distance to a section corner. If on unsurveyed land, it should be stated.  
61<sup>0</sup> 14' 12" E. 2266.62 feet.
- The existing permitted point of diversion is located within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 7, T.34N., R.38E.,  
If point of diversion is not changed, do not answer.  
M.D.B.&M. or at a point from which the SE corner of said Section 7 bears S.  
61<sup>0</sup> 14' 12" E. 2266.62 feet.
- Proposed place of use portion of SW $\frac{1}{4}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Lot 3 and Lot 4, Section 7.,  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
T.34N., R.38E., M.D.B.&M.
- Existing place of use SE $\frac{1}{4}$  SW $\frac{1}{4}$  and Lot 3 and Lot 4, Section 7, T.34N., R.38E.; Portions  
of SE $\frac{1}{4}$  and of E $\frac{1}{2}$  SW $\frac{1}{4}$  Section 12, T.34N., R.37E., M.D.B.&M. To be  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
transferred is portion of SW $\frac{1}{4}$  SE $\frac{1}{4}$  and portion of SE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 12, T.34N.,  
manner of use of irrigation permit, describe acreage to be removed from irrigation.  
R.37E., M.D.B.&M.
- Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day
- Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) Construct water tank, pipe line mains,  
State manner in which water is to be diverted, i.e. diversion structure,  
service lines to individual lots.  
ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works \$100,000.
- Estimated time required to construct works 1 year

14. Estimated time required to complete the application of water to beneficial use..... 3 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

By s/Ernest E. Muller, Sr.  
Ernest E. Muller, Sr., SWRS 702  
750 W. Pueblo St.  
Reno, NV., 89509

Compared bc/ bc ap/se

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 45775 is issued subject to the terms and conditions imposed in said Permit 45775 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The issuance of this permit is to provide water service to 61 lots within the proposed Dutchman Acres Subdivision.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.2709 cubic feet per second, but not to exceed 68.32 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before June 9, 1993

Proof of completion of work shall be filed before July 9, 1993

Application of water to beneficial use shall be made on or before June 9, 1996

Proof of the application of water to beneficial use shall be filed on or before July 9, 1996

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed JUL 26 1993

Proof of beneficial use filed

Cultural map filed

Certificate No. SEP 21 2011 Issued

**CANCELLED** BECAUSE OF  
FAILURE OF APPLICANT TO COMPLY WITH  
THE PROVISIONS OF PERMIT

P.E. STATE ENGINEER  
Can. Resigned 2-15-2012

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,  
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 9th day of June

A.D. 19 92

*R. Michael Turnipseed*  
State Engineer